



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/838,809         | 04/20/2001          | Grant E. Dubois       | 7738.0147              |

CONFIRMATION NO. 3526

## FORMALITIES LETTER



\*OC000000006195732\*

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GARRETT & DUNNER, L.L.P.  
3200 SUNTRUST PLAZA  
303 PEACHTREE STREET, N.E.  
ATLANTA, GA 30308

Date Mailed: 06/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

Reinstatement date: 10/03/2001 SSALLEKU  
09/01/2001 TBESHARI 00000055 09838809  
01 00.00  
00.00.00

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/25/2001 SHINASS1 00000065 060916 09838809

01 FC:105 130.00 CH

Replm. Ref: 10/03/2001 SSALLEKU 0015101400

JCH:000000 Name/Number:09838808

FC 704 \$554.00 CR

BEST AVAILABLE COPY



PATENT  
Customer No. 22,852  
Attorney Docket No. 7738.147

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Grant E. DUBOIS et al. ) Group Art Unit: 1761  
)  
Serial No.: 09/838,809 ) Examiner: unassigned  
)  
Filed: April 20, 2001 )  
)  
For: NON CALORIC FROZEN )  
CARBONATED BEVERAGE )

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: **BOX MISSING PARTS**

Sir:

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**

In response to the communication of June 18, 2001, Applicants submit a Declaration/Power of Attorney for filing in this application and a copy of the Notice of Missing Parts. Please debit our Deposit Account No. 06-0916 for the required fee of \$130.00 fee.

Please associate the enclosed declaration with the application, grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Lori-Ann Johnson  
Reg. No. 34,498

Dated: September 18, 2001



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08/30/01

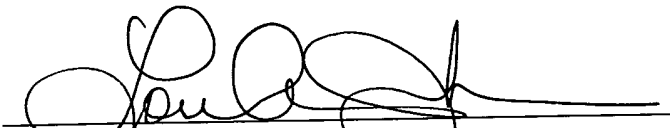
Attorney Docket No. 7738.147  
Serial No. 09/838,809

Section #

# CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Services under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

on 09/18/01  
Date

  
Lori-Ann Johnson

## Enclosure:

1. Petition for Extension of Time - 1 page
2. Response to Notice to File Missing Parts - 1 page
3. Declaration and Power of Attorney - 2 pages
4. Copy of Notice - 1 page
5. Postcard